

Special Accounts Senior Management Committee

SEMI-ANNUAL MEETING

MARCH 11, 2015

Agenda

- ❖ Highlights Past 6 Months
- ❖ Special Account Consolidated Guidance Update
- ❖ Update on Special Account Interest and Collections Process
- ❖ Next Steps on Accessing Special Accounts for Indirect Costs
- ❖ Upcoming Issues and Topics
- ❖ Review Action Items and Next Steps

Highlights Past 6 Months

- ❖ Continuing to resolve issues with special account data in SEMS
- ❖ FY 2015 work planning update for use of special accounts
- ❖ Regional Superfund Division Director review of special accounts
- ❖ Revised Charter for signature
- ❖ Special account narrative in FY 2016 Congressional Justification
- ❖ CLP/ESAT reimbursement from special accounts in 2nd quarter FY 2015
- ❖ Creation of SharePoint site for SASMC activities
- ❖ Annual report of SASMC activities for FY 2014
- ❖ Finalization of Anadarko fraudulent conveyance settlement
 - ❖ **Exemption 5 - Attorney-Client Privilege**

Special Account Consolidated Guidance Update

OECA/OSRE

So far...

- ❖ Needed to conform and update guidance to the many guidance and policy documents which have been issued since 2002.
- ❖ As part of this update, proposing to update and finalize the 1998 Interim Final Guidance on Disbursements of Funds from EPA Special Accounts to Responsible Parties (which the 2002 Consolidated Guidance supplemented).

❖ Exemption 5 - Deliberative Process

Update on Special Account Interest and Collections Process

OCFO/OFM

Next Steps on Accessing Special Accounts for Indirect Costs

OCFO/OB

Background and Context

- ❑ It is a change. Utilizing special account funds to pay for Agency indirect costs is not currently practiced.
 - ❑ Exemption 5 - Deliberative Process
- ❑ Indirect costs are typically collected as part of CERCLA settlement agreements and may be deposited in special accounts for future site-specific response work.
- ❑ Special accounts are generally used to support site-specific response costs, including payroll, contract, and grant expenditures.

Benefits and Risks

BENEFITS

RISKS

Exemption 5 - Deliberative Process



OGC Discussion

- Staff met with OGC attorney on February 3, 2015 and had a follow up discussion on February 25, 2015.

Exemption 5 - Attorney-Client Privilege



OGC Discussion cont.

□ Exemption 5 - Attorney-Client Privilege

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

OGC Discussion cont.

□ Exemption 5 - Attorney-Client Privilege

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Next Steps

□ Discussion for next steps:

Exemption 5 - Deliberative Process

[Redacted content]

Upcoming Issues and Topics

Upcoming Issues and Topics

- ❖ Continue updating the 2002 Special Account Consolidated Guidance
- ❖ Conduct FY 2015 special account mid-year planning updates and review
- ❖ Continue discussions on special account collections and interest
- ❖ Review of special accounts for A-123/FMFIA requirements in FY 2015
 - ❖ OSRTI
 - ❖ OCFO

Exemption 5 - Deliberative Process

- ❖ OSRTI and OFM will issue the Superfund Action Code Dictionary
- ❖ Special Accounts Management Strategy to be updated in FY 2016

Review Action Items and Next Steps
